

## **Ordinance No. 2007-0-77**

**AN ORDINANCE OF THE VILLAGE OF VOLENTE, TEXAS ESTABLISHING FEES FOR APPLICATIONS, PERMITS AND OTHER APPROVALS BY THE VILLAGE OF VOLENTE; PROVIDING SEVERABILITY, OPEN MEETINGS AND EFFECTIVE DATE CLAUSES; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS, the charging and collecting of fees from applicants for approval of permits and other authorizations required under the ordinances of the Village of Volente ("Village") is necessary to eliminate the cost to the citizens of the Village to pay for the review, inspection and approval of applications submitted to the Village and will protect the public health and welfare of the citizens of the Village;**

**WHEREAS, the charging and collecting of fees for publications of Village codes and ordinances and copies of Village records requested under the Open Records Act is necessary and appropriate to reduce the cost of government paid for by the citizens of the Village;**

**WHEREAS, the Village Council finds that the following fees are necessary to recapture the costs of reviewing, inspecting and approving the applications filed with the Village and the costs of reproducing codes, ordinances, and records of the Village;**

**WHEREAS, the Village Council recognizes that the amount of the fee for each of the following services will changed from time to time necessitating the periodic review and revision to the following fees:**

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF VOLENTE, TEXAS, THAT:**

**Section1. Adoption of Findings of Fact.** The findings and recitations set out in the preamble of this Ordinance are found to be true and correct and they are hereby adopted by the Village Council and made part hereof for all purposes, as findings of fact.

**Section 2. Authorization.** The following Article is hereby adopted and after the publication of the caption of this ordinance for the time and manner as required by the Tex. Loc. Gov't. Code, be in force and effect within the Village, and shall read as follows:

### **CHAPTER 27.100: VILLAGE FEE PROVISIONS**

#### **DIVISION 1: FEE SCHEDULE**

All fees are non-refundable and due at time of submittal unless otherwise noted.

# ARTICLE 27.100: VILLAGE FEE PROVISIONS

## Sec. 27.101 LAND USE

	Application	Professional	Property Owner	ADDITIONAL FEE
	Fee	Services Est	Notifications	
Code of Ordinances Book	100.00			
Comprehensive Plan	75.00			
Zoning Ordinance	15.00			
Rezoning Application	250.00	250.00	\$4.00 p/property owner	
Conditional Use Permit Application	250.00	250.00	\$4.00 p/property owner	
Variance application from Zoning Ordinance	250.00	250.00	\$4.00 p/property owner	
Professional Service Consulting Fee		125.00		
Comprehensive Plan Amendment	50.00	200.00		
Annexation		1500.00		
PDD Zoning	1000.00	3000.00	\$4.00 p/property owner	\$50. per lot/com. acre
				plus 10% surcharge
				on professional services

## SEC. 27.102 SUBDIVISIONS

	FEE	PSE	NOTIFICATIONS	ADDITIONAL FEE
Subdivision Ordinance	15.00			
Pre-Application Conference	250.00			
Concept Plan	50.00	500.00	\$4.00 p/property owner	\$5.00 per lot/com. acre
Preliminary Plat	100.00	250.00		\$50.00 per lot/com acre
Minor Plat	50.00	200.00		
Final Plat	595.00			\$20.00 per lot/com acre
Amended Plat	100.00	350.00		
Minor Plat Re-subdivision	350.00			
Vacation of Final Plat	100.00			
Variance application from Subdivision Ordinance	250.00		\$4.00 p/property owner	
PDD Final Plat, Final Development Plan	500.00	500.00		

## Sec. 27.103 SITE DEVELOPMENT

	Application	PSE	NOTIFICATIONS	ADDITIONAL FEE
	Fee			
Site Development Ordinance	75.00			
NPSPC (Water Quality ) Ordinance	15.00			
Concept Plan (33.315) (Optional)	50.00	1000.00		\$5.00 per lot
Preliminary Site Plan Approval (33.315)	250.00	1000.00		\$120.00 per lot
NPS Annual Operating Permit	150.00	400.00		\$150.00 renewal fee yly
Site Development Permit (33.317)	100.00	1000.00		\$120.00 per lot
Building Demoliton Permit (33.319)	100.00			
Building Relocation Permit (33.320)	55.00			
Tree removal/Land Clearing Permit (33.321)	100.00	250.00		\$10.00 per caliper inch of
				of protected or specimen
				trees not replaced.

# ARTICLE 27.100: VILLAGE FEE PROVISIONS

Variance Application from Site Development Ordina	250.00	250.00	\$4.00 p/ property owner	
Variance Application from NPSPC (Water Quality)	250.00	250.00	\$4.00 p/property owner	
Blasting Permit	500.00	1500.00	4.00 per notification	
Right of Way Permit	150.00	500.00		
PreConstruction Inspection		50.00		
PostConstuction Inspection		50.00		
Each Reinspection		65.00		
PreConstructionMeeting		250.00		

## 27.104 SINGLE FAMILY RESIDENTIAL SITE

New Home Site Construction on slopes >15%	300.00	500.00		
New Home Site Construction on appr.slopes<15%	300.00	280.00		
Accessory Bldg Construction	100.00	240.00		
PreConstruction Inspection		50.00		
Post Construction Inspection		50.00		
Variance from Site Development Ordinance	250.00	250.00		
Building Demolition Permit	100.00			
Tree Removal/Land Clearing permit	100.00	250.00		\$10 per caliper " of protected
Building Relocation Permit	55.00			or specimen trees not replaced
Each Reinspection		65.00		

## 27.105 RESIDENTIAL BUILDING PERMITS

	Application Fee	Inspection & Prof. Eng		
Bldg Plan Review ( Residential Only)		65.00		
Resubmittal Fee-Plan Review		100.00		
Residential New Home	100.00	450.00		(includes 9 inspections at 50.00 per inspection
Accessory Bldg	100.00	50 per insp.		
Addt inspections and Re-Inspections		65.00		
Storage Building (under 200 sq ft with no plumbing or electrical)	60.00			
Sheathing( Inspection Only	60.00			
Temporary CO's	60.00			

## Sec. 27.106 COMMERCIAL PERMITS

	Application Fee	INCLUDED		
Application Fee	500.00			
Frame		.30 per sq ft		
Plumbing Permit		.20 per sq ft		
Electrical/Mechanical Permit		.20 per sq ft		
Flatwork (includes pervious and impervious)		.30 per sq ft		
Construction Plan Review and Inspection		.30 per sq ft		
Plan Review Only (Commercial)	\$78.00 per hr			
Temporary Electric Loop	78.00			
Permanent Power (before Final)	78.00			
Gas ( Inspection/release)	78.00			
Sheathing (Inspection Only)	78.00			
Temporary CO's	78.00			

# ARTICLE 27.100: VILLAGE FEE PROVISIONS

All Inspection and Re-Inspections	60.00			
Construction Sales/Trailer (each inspection)	78.00			

## Sec. 27.107 MISCELLANEOUS BUILDING PERMITS

	FEES	PSE		ADDITIONAL FEES
Driveway/Culvert Permit	78.00			
Swimming Pool/Hot Tubs( with plan review)	50.00	150.00		
Sprinkler System	60.00			
Temporary Real Estate Sign Permit	\$10.00 for a three(3) month permit			
Sign Permit (with plan)	100.00			
Model Homes	60.00			\$50.00 renewal each yr.
Manufactured Homes 4 inspections Included	50.00	200.00		
Miscellaneous Variances	250.00	250.00		

## Sec. 27.108 OTHER

	FEE	PSE	NOTIFICATIONS	ADDITIONAL FEES
Pre-Application Conference		250.00		
Easement (new abandonment)	100.00	200.00		
Soliciting Permit (per peddler/Vender, to be determined				
Wrecker Permit (Per towing and wrecker Ordinance				
Return Check Fee	35.00			
Copies	.55 per first page			.15 EA. Additional page

## Sec. 27.109 MAPS

	FEE			
Village Limits/Zoning Large	25.00			
Small (color)	10.00			
Floodplain/Address Map or Book	25.00			
Roadway Map	10.00			

### **Sec 27.110 Miscellaneous Provisions:**

1. Quadruple permit fees will be charged for any work started before signing the permit or if building is occupied before a Certificate of Occupancy is granted. No new permits will be issued until all permit fees have been paid.
2. Electrical inspections must be completed before a Certificate of Occupancy is granted. A stop work order will be issued on all permits where re-inspection fees of \$300 or more are owed.
3. Professional Service Estimate -Any additional professional service charges are subject to a 10% administrative surcharge by the Village. Also, applicant will be responsible for any professional service amount greater than the estimated amount listed.
4. Applicants shall be responsible for all professional service charges resulting from the attendance of the Village consultants at public meetings in association with an application or permit.
5. Fees charged by the Village's attorney as a result of an application or permit shall be the responsibility of the applicant.

## **DIVISION 2: GENERAL PROVISIONS**

**Sec. 27.111 Construction:** The terms and provisions of this article shall not be construed in a manner to conflict with the *Texas Local Government Code*, the *Texas Water Code* and the *Texas Health & Safety Code*, and if any term or provision of this article shall appear to conflict with any term, provision or condition of these codes, such article term or provision shall be read, interpreted and construed in a manner consistent with and not in conflict with such Chapter and, if possible, in a manner to give effect to both. The standard and accepted rules of statutory construction shall govern in construing the terms and provisions of this article.

**Sec. 27.112 Amendment and Repeal:** All ordinances or parts thereof conflicting or inconsistent with the provisions of this article as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this article and any other code or ordinance of the village, the terms and provisions of this article shall govern.

**Sec. 27.113 Severability:** If any provision of this article or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

**Sec. 27.114 Effective Date:** This article shall take effect immediately from and after its passage and publication of its enacting ordinance in accordance with the provisions of Chapter 52 of the *Texas Local Government Code*.

**Sec. 27.115 Open Meetings:** It is hereby officially found and determined that the meeting at which the enacting ordinance of this article is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**Sec. 17.116 Penalty and Injunctive Relief:** Any person who shall violate any of the provisions of this article, or shall fail to comply therewith, or with any of the requirements thereof, within the village limits shall be deemed guilty of an offense and shall be liable for a fine not to exceed the sum of five hundred dollars (\$500.00). Each day the violation exists shall constitute a separate offense. Such penalty shall be in addition to all the other remedies provided herein. Any person who violates this article is subject to suit for injunctive relief as well as prosecution to seek penalties for the violation.

PASSED AND APPROVED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2007 by a vote of \_\_\_\_\_ ayes, \_\_\_\_\_ nays, and \_\_\_\_\_ abstentions of the Volente City Council.

Village of Volente

By: \_\_\_\_\_

Jan Yenawine, Mayor

Attest:

Jennifer Zufelt, City Secretary